

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO.

RYAN BRESLOW, ALEX FINE, and JON  
GORDON,

Plaintiffs,

vs.

MARK PHILLIPS and BENJAMIN REED,

Defendants.

/

**DECLARATION OF RYAN BRESLOW**

I, Ryan Breslow, make the following declaration based on my personal knowledge:

1. My name is Ryan Breslow. I am over the age of 18, competent to testify, and have personal knowledge of the matters stated herein.
2. I am a resident of the United States Virgin Islands.
3. In 2021, Jon Gordon, Alex Fine, and myself (collectively, the “Plaintiffs”) founded a new cryptocurrency platform called the Movement DAO (“DAO” or “Movement DAO”).
4. We intended for the Movement DAO to function as an online community, with community members contributing capital into the DAO endowment. That endowment would then be invested, and the proceeds from the investment returns would be used to fund DAO community projects.

5. On multiple occasions, Defendant Phillips represented to me that dao-lawfirm was the Law Office of Reed Yurchak. Defendant Phillips also represented to me, including prior to February 2022, that Mr. Yurchak's firm was a signatory to the DAO endowment account.

6. Defendant Phillips created the DAO endowment account at my direction in January 2022.

7. In early 2022, Defendant Phillips induced me to entrust him with my authorization tokens for the DAO endowment's Gnosis account by repeatedly assuring me that he was trustworthy. When I entrusted Defendant Phillips with my voting tokens and DAO endowment keys, implicit in that custodial relationship was the representation that Defendant Phillips would not take any action to disable them, render them useless, or otherwise not destroy my ability to use them for their intended purpose.

8. The Movement DAO did not launch on February 2, 2022. The only thing that occurred on February 2, 2022 was the online publication of the Gitbook white paper and the commencement of the MOVE token presale. The DAO endowment account's ENS (Ethereum Name Service) name makes it clear that the project was in pre-launch on February 2, 2022 and continues to be so today. The ENS name associated with the DAO endowment account—0x143cC0A996De329C1C5723Ee4F15D2a40c1203c6—is **Movement DAO:Presale**. *See* Dkt. No. 24-1, Exhibit 1.

9. It was understood and discussed by myself, Mr. Breslow, Mr. Gordon, and Defendant Phillips that the Movement DAO project would launch only after Mr. Breslow authorized it to launch. It was also understood and discussed among the four of us that Snapshot proposals would only be binding if passed after the Movement DAO project had launched.

10. I never authorized the launch of the Movement DAO project.

11. MOVE tokens function as voting power within the Movement DAO community (i.e., one MOVE token is equivalent to one vote). MOVE tokens are to be used by Movement DAO community members to vote on proposals related to, among other things, the governance of the Movement DAO. *See* Dkt. No. 24-1, Exhibit 2 at 41 (Docket Page) (“The \$MOVE token governs the platform. These token holders are responsible for growing the endowment and deploying capital into movements.”).

12. Without MOVE tokens, Movement DAO community members do not have authority to pass governance proposals, make decisions regarding finances, or pass any other resolution relating to the Movement DAO project. Dkt. No. 24-1, Exhibit 2 at 46 (Docket page) (“The Movement DAO is governed by its staked token holders. \$MOVE tokens represent the power to influence change to governance, economics, and incentives in the Movement DAO.”).

13. As described in the Gitbook white paper, the deployment of MOVE tokens was a necessary condition that had to occur before Movement DAO community members would receive the authority to pass binding resolutions via Snapshot concerning the Movement DAO endowment and treasury. The Gitbook states “[a]fter the initial \$MOVE distribution via contributions to the endowment...the community will manage the remaining treasury through Snapshot.” Dkt. No. 24-1, Exhibit 2 at 47 (Docket page).

14. I have never received any MOVE tokens, and MOVE tokens were never created or distributed to contributors to the DAO endowment account.

15. Because MOVE tokens were never created or distributed, the Movement DAO community never received authority or authorization to pass binding proposals on the Movement DAO project or the DAO endowment account.

16. The proposals that were passed by the Movement DAO community via Snapshot in August 2022 and February 2023 are non-binding, advisory, and lacking any authority because, among other things, the Movement DAO project had not launched and because votes were not cast using MOVE tokens.

17. The Movement DAO was created by myself, Mr. Gordon, and Mr. Fine based on several core, fundamental precepts. One such precept was that the DAO endowment would never be spent. This principle was expressly stated in the Gitbook white paper. *See* Dkt. No. 24-1, Exhibit 2 at 58 (Docket Page). Rather, all operational expenses and funding for social impact projects hosted on the Movement DAO platform were to be financed by the yields earned from the investment of the DAO endowment.

18. The DAO endowment was never deployed or invested to earn additional proceeds. This deployment did not occur because the Movement DAO project never launched.

19. In order for the Movement DAO to function, it necessarily requires a platform with a user interface that a social impact group can access to establish their own DAO. Without this user interface, the prospective user cannot access or utilize the applications and tools hosted on the Movement DAO platform. This user interface was contemplated as a public website, with tools available on the platform that enabled social impact groups to create and manage their own DAOs to organize, fundraise, and perform other activities related to its social impact mission.

20. The Movement DAO never hosted or otherwise launched a user interface to create social impact projects under the Movement DAO. As a result, the Movement DAO platform has not and currently does not host any social impact projects.

21. Juicebox is a fundraising platform that has similar features to what was envisioned for the Movement DAO. For example, the Juicebox website has a user interface by which a user

can create a project and use that project as a platform to support fundraising efforts. Attached as Exhibit A is a true and accurate copy of two webpages on the Juicebox website: <https://juicebox.money/> and <https://juicebox.money/create>. As reflected in these screenshots, Juicebox's homepage contains a button called "Create a project" that directs a user to a "Create" page. From this page, a user inputs a variety of information needed to launch their own project's fundraising platform, including a project description, associated tokens, payouts, deadlines, and deployment.

22. It has always been the intent for the Movement DAO project to have a website with a similar user interface to those on Juicebox's webpage. A website for the Movement DAO project with features akin to Juicebox's user interface did not exist on February 2, 2022, and the Movement DAO Project has never had such a website.

23. Juicebox is not an extension of Movement DAO or otherwise affiliated with Movement DAO.

24. In February 2022, I started a fundraising project on the Juicebox platform called PeaceDAO. PeaceDAO was a project dedicated to providing humanitarian aid to Ukraine. PeaceDAO was not formed on the Movement DAO platform because no such platform existed. However, I asked members of the Movement DAO community to help with my PeaceDAO project, which they did in the form of coding, organization, and outreach. As thanks and compensation for the time and talent provided by the Movement DAO community members, I directed PeaceDAO to pay a "tribute" (a small payment) to the Movement DAO. Attached as Exhibit B is a true and accurate copy of the landing page for PeaceDAO on the Juicebox platform.

25. Had the Movement DAO platform launched in February 2022, I would have used it to launch PeaceDAO.

EP 0 480 172 A1

Die Test- und Kontrollgruppen putzen regelmässig die Zähne im Verlaufe von 4 Wochen mit Zahnpasta unter Verwendung von neuen Zahnbürsten. Die Zähne werden zweimal am Tage jeweils drei Minuten lang unter Aufsicht geputzt. Das abendliche Bürsten wird auf alle Zahnoberflächen mit intensiven horizontalen, vertikalen und kreisenden Bewegungen durchgeführt.

5 In jedem der 2 Abschnitte werden 10 bis 12 Bürsten benutzt:

	<u>876</u>	<u>54</u>	<u>321</u>	<u>123</u>	<u>45</u>	<u>678</u>
10	—	—	—	—	—	—
	<u>876</u>	<u>54</u>	<u>321</u>	<u>123</u>	<u>45</u>	<u>678</u>

Die Registrierung des Plaque Indexes wird zu Beginn des Tests (diagnosticalindex) an einem Zahn durchgeführt, der für eine Nacht nicht gebürstet wird, und am Ende einer jeden Woche. Die Plaque wird 15 durch Lutschen einer Standard Farbtablette bis zur völligen Auflösung gefärbt. Der Plaque Index wird nach der Methode von Green Vermillion (einfacher Index) bestimmt.

Der Plaquebelag der Vestibularoberflächen von

20 6 16  
1

wird ebenso wie der Belag der Zwischenräume sowie der Belag der auf der Zungenseite liegenden Oberflächen von

25 6 6

Wert:

30 - 0 - keine Plaque festgestellt  
- 1 - Plaque auf 1/3 der Zahnoberfläche  
- 2 - Plaque auf 2/3 der Zahnoberfläche  
- 3 - Plaque auf der vollständigen Zahnoberfläche

Die Plaque wird nach 1 bis 4 Wochen bestimmt in Prozent zu dem ursprünglichen Zustand.

35 Der Grad der Entzündung wird am 20 Testpersonen, die bei der Plaqueuntersuchung teilnehmen und eine leicht ausgeprägte, chronische Zahnfleischentzündung aufweisen, durchgeführt.

Es wird der PMA-Index am Anfang und nach 1 bis 4 Wochen bestimmt. Das Zahnfleisch wird mit J<sub>2</sub>-KJ-Lösung nach der Methode von Svrakov-Pissarev behandelt und die Entzündung um

40 616  
616

entsprechend der folgenden Werte festgestellt:

45 - 0 - keine Entzündung beobachtet  
- 1 - Zahnfleischpapilla entzündet

Der PMA-Index wird nach 1 bis 4 Wochen in Prozent auf den Ausgangszustand bezogen.

Die für das erfindungsgemäße Zahnpflegemittel ermittelten Werte werden mit den parallel festgestellten Werten von bekannten Zahnpflegemitteln verglichen. Dabei werden die folgenden Ergebnisse erzielt:

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Zahnpflegemittel mit Putzkörper	Plaqueentfernung	Plaqueverhinderung	Entzündungshemmender Effekt in der Mundhöhle
1. Calcium carbonat	32,38 %	11,03 %	5 - 10 %
2. Dicalcium phosphat dihydrat (Benckiser-Hoechst)	42,13 %	10,18 %	5 - 10 %
3. Gefällte Kieselsäure (Sident® 9, Degussa)	38,52 %	10,15 %	5 - 10 %
4. Mikrokristalline Cellulose (Micrel)	32,15 %	5,12 %	5 - 10 %
5. Cellulose-pulver (Eicema®, Degussa)	78,16 %	20,04 %	28 - 33 %

Die Tabelle zeigt, daß das Zahnpflegemittel 5 mit ELCEMA® (Cellulosepulver gemäß Erfindung) eine überraschend hohe plaqueentfernende Wirkung im Vergleich zu den Zahnpflegemitteln 1, 2, 3 und 4 hat. Deutlich übertrifft das Zahnpflegemittel 5 auch das Zahnpflegemittel 4, welches mikrokristalline Zellulose (Micrcel) gemäß dem Stand der Technik enthält.

5 Besonders überraschend sind die unerwartet hohen Werte für den plaqueverhindernden Effekt und den entzündungshemmenden Effekt. Zusätzlich tritt eine heilende Wirkung in der Mundhöhle ein.

Die in dem Zahnpflegemittel 4 eingesetzte mikrokristalline Zellulose Micrcel ist produktgleich zu AVICEL. AVICEL ist eine mikrokristalline Zellulose, die durch Säurebehandlung von Zellulose vor der 10 Sprührocknung teilweise gereinigt und depolymerisiert wurde (vgl. The National Formulary XIII Edition, Monograph 43).

Die Stabilitätsprüfung von Fluoridionen enthaltenden Zahnpflegemitteln, die Cellulosepulver als Abrasivkomponente enthalten, mit Hilfe von beschleunigten Alterungsmethoden und unter Anwendung der 15 Arrhenius-Gleichung ergibt, daß in Zahnpflegemitteln mit Natriumfluorid und mit Natriummonofluorophosphat die aktiven Fluor- und Monofluorophosphat-Ionen ihre Quantität für einen Zeitraum von mehr als 3 bis 4 Jahren unverändert beibehalten.

#### Patentansprüche

20 1. Zahnpflegemittel, bestehend aus den üblichen bekannten Bestandteilen eines Zahnpflegemittels,  
dadurch gekennzeichnet,  
daß es anstelle von bekannten Abrasivkomponenten als Putzkörper Cellulosepulver enthält.

25 2. Zahnpflegemittel nach Anspruch 1,  
dadurch gekennzeichnet,  
daß das Cellulosepulver eine Teilchengröße von 1 bis 300 Mikrometer aufweist und in einer Menge von  
1 bis 25 Gew.-%, vorzugsweise von 10 bis 20 Gew.-%, enthalten ist.

30 3. Verfahren zur Entfernung beziehungsweise Verhinderung von Plaque auf den Zähnen  
dadurch gekennzeichnet,  
daß man ein Zahnpflegemittel gemäß Anspruch 1 verwendet.

35 4. Verfahren zur Hemmung von Entzündungen in der Mundhöhle,  
dadurch gekennzeichnet,  
daß man ein Zahnpflegemittel gemäß Anspruch 1 verwendet.

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Explore

Discord

Resources

Create a project

EN



Connect

## CREATE A PROJECT

DETAILS

CYCLES

PAYOUTS

TOKEN

NFTS

DEADLINE

DEPLOY

## Project Details

Enter your project's details. You can edit your project's details at any time after you deploy your project, but the transaction will cost gas.

\* Project name

Project description

Logo

Upload

Project links (Optional)



Project owner (Optional)



Project page customizations (Optional)

[Next](#)

Need help?

Contact customer support

# Exhibit B



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# PeaceDAO

@peacedao | Owned by 0xe9060d...9A9d4C

PeaceDAO is the world first anti-war DAO



V1.1

TOTAL VOLUME [?](#)

Ξ2.19

PROJECT BALANCE [?](#)

Ξ0

PAYOUTS [?](#)

Ξ0 / Ξ1,050

OWNER WALLET BALANCE [?](#)

0 JBX + Ξ0.0002

ALL ASSETS [?](#)

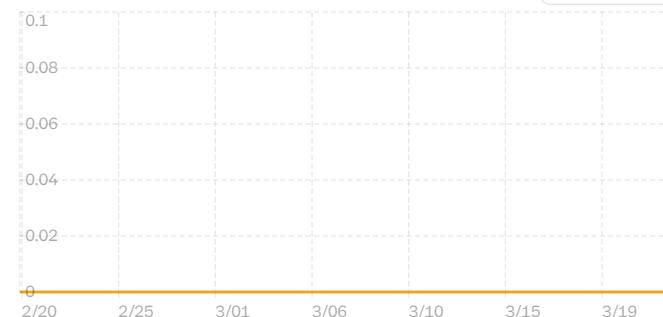
0

▼ ETH

Pay

Receive 692,120 tokens/1 ETH

VOLUME    BALANCE

30 DAYS [▼](#)

## Tokens [?](#)

Total supply:

0

Holders

2 total

Created

a year ago [?](#)

Project created

0xe9060d...9a9d4c

## Activity



All events

a year ago [?](#)

0xe9060d...9a9d4c

Duration: 30 days

Payouts: Ξ1,050

Reserved rate: 10%

Redemption rate: 50%

Issuance reduction rate: 2%

Edit deadline: 0x6d6da4...dbd8b2

Owner token minting: No

Payments to this project paused: No

CURRENT   UPCOMING   HISTORY

&gt; Cycle #14

23d 5h 5m until #15

Ξ0 AVAILABLE ⓘ  
Ξ0/1,050 distributed

[Send payouts](#)

### Payouts ⓘ

0xe9060d...9A9d4C 💎: 100% (Ξ1,000)

### Reserved tokens (10%) ⓘ

0xe9060d...9A9d4C 💎: 100%

0 tokens reserved

[Send reserved tokens](#)[Back to top](#)